

Denise Buckley

From: Denise Buckley
Sent: Wednesday, July 26, 2017 8:14 AM
To: 'Leo Glickman'
Subject: RE: Mousseau

Leo,

In the letter you filed on the docket yesterday evening (Dkt 69), you made no mention of the fact that we have confirmed Supt Racette's deposition on August 1st at 1pm and Officer Chamberlain on August 3rd at 1pm (see below). I am waiting to hear back from you as to whether you intend to conduct the depositions at 90 State Street again.

Also, I do not think anyone at DOCCS is being uncooperative. The court made a direction on June 2nd (Dkt 54) about the order of depositions and when they were to be completed. I can assure you that my clients have made a good faith effort to make themselves available for deposition by the end of August. It is a tight time frame, three weeks of which is blocked out for your vacation. You are entitled to a vacation, of course, but please keep in mind that the defendants, like yourself, are people with their own scheduling restrictions. One of them is dealing with ailing parent and had to make special arrangements to have his brother take his place on a doctor's visit so that he could be available for deposition within that tight time frame. Before you write to the court again firing off allegations about my clients engaging in bad faith, would you please phone me so that we can discuss?

Again, please confirm the Racette and Chamberlain deposition locations next week. And when you have chance please send me the attachment to the first e-mail you sent me yesterday afternoon because it still hasn't come through.

Best regards,

Denise Buckley | Assistant Attorney General

Litigation Bureau
NYS Office of the Attorney General
State Capitol | Albany, NY 12224
Tel: (518) 776-2294 | Fax: (518) 915-7738 | denise.buckley@ag.ny.gov

From: Denise Buckley
Sent: Tuesday, July 25, 2017 4:09 PM
To: 'Leo Glickman' <lglickman@stollglickman.com>
Cc: Pepper, Joshua (DOCCS) <Joshua.Pepper@doccs.ny.gov>
Subject: RE: Mousseau

Leo,

The attachment did not come through. Please try re-sending it.

Your e-mail below is the first notice I received of Investigator Mousseau's deposition. After receiving it, I spoke with Josh Pepper at DOCCS' Counsel's office (copied to this e-mail). Please contact Josh (tel 518-457-4951) to discuss Investigator Mousseau's deposition. I understand from speaking with Josh that he and another colleague from DOCCS' Counsel's office have left you messages advising that this Friday is not suitable, but Thursday would suit. Please contact Josh directly to discuss and try to agree suitable arrangements. I can't set up Investigator Mousseau's deposition, but I

would like to attend, so I would be grateful if you would schedule it so that it does not coincide with the party depositions in this matter.

Officer Nolan's deposition is taking place in this matter on Friday at 1pm at 90 State Street in Albany. Retired Supt Racette's deposition is scheduled to take place on August 1st at 1pm in Albany. Officer Chamberlain is available for deposition on August 3rd at 1pm. I don't recall if you confirmed the Chamberlain deposition, but that was one of the dates you mentioned you were available. Presumably these depositions will be at 90 State Street again? Please confirm.

Best regards,

Denise Buckley | Assistant Attorney General

Litigation Bureau

NYS Office of the Attorney General

State Capitol | Albany, NY 12224

Tel: (518) 776-2294 | Fax: (518) 915-7738 | denise.buckley@ag.ny.gov

From: Leo Glickman [<mailto:lglickman@stollglickman.com>]

Sent: Tuesday, July 25, 2017 3:32 PM

To: Denise Buckley <Denise.Buckley@ag.ny.gov>

Subject: Mousseau

We successfully served the subpoena on Shawn Mousseau on Monday, July 17. See attached. Have you been contacted by him? Will you be representing him? I will have an attorney in Kingston, NY at 11 am to depose him on Friday. If you would want to make some other arrangement, please let me know by end of day today.

Leo Glickman

Stoll, Glickman & Bellina, LLP

5030 Broadway, Ste. 652

New York, NY 10034

475 Atlantic Avenue, 3rd Floor

Brooklyn, NY 11217

P: 718-852-3710

F: 718-852-3586

www.stollglickman.com